

R. I. STATE BOARD OF ELECTIONS

MINUTES OF MEETING (Open Session)

November 15, 2007

The Rhode Island State Board of Elections convened at 3:35 PM, a quorum included Commissioners Florence Gormley, John Daluz, Raymond Xavier, Frank Rego. Executive Director Robert Kando was also present.

First order of business: Commissioner Xavier moved to approve the minutes of the meeting dated 10/5/07, the motion was seconded by Commissioner Daluz and was passed unanimously.

Next order of business: The appeal of Anthony Perry from the East Providence Board of Canvassers ruling changing his voting domicile from 119 Lyon Ave, East Providence to 962 Veterans Memorial Parkway, East Providence. Attorney Stephen Napolitano represented Mr. Perry and Attorney William Conley represented the East Providence Board of Canvassers. Mr. Perry provided sworn testimony relative to R.I.G.L 17-9.1-28 and the City of East Providence presented testimony of Bruce Rogers. After the close of testimony, Commissioner Xavier moved to dismiss the East Providence Board of Canvassers petition (changing Mr. Perry's declared voting domicile). Commissioner Daluz seconded the motion and it was passed unanimously. Mr Anthony Perry's voting domicile is 119 Lyon Ave, East Providence.

Next order of business: Commissioner Rego motioned to approve the Rules and Regulations for local Boards of Canvassers in the periodic updating of Voter Registration Records (NCOA) which was seconded by Commissioner Xavier and passed unanimously.

Next order of business: After reviewing the budget submission for FY09, Commissioner Daluz motioned to approve the current submission and was seconded by Commissioner Xavier and passed unanimously.

Next order of business: An agreement on fines and fees assessed to Joseph A. Harrington, Jr. was presented to the Board by Richard Thornton, Supervisor of Campaign Finance. A motion from Commissioner Rego to suspend all the fines and fees over the Superior Court judgment amount of \$13,282 with a stipulation that if Mr. Harrington, Jr. defaults on the Superior Court judgment, all fines and fees will be reinstated. The motion was seconded by Commissioner Xavier and passed unanimously.

Next order of business: Commissioner Daluz motioned that the Board go into Executive Session pursuant to Rhode Island General Laws § 42-46-5(a)(4), to conduct confidential investigations of possible violations of campaign finance laws pursuant to R.I.G.L. 17-25-5(a)(7)(i). The motion was seconded by Commissioner Xavier and carried unanimously.

Board of Elections

Minutes of Meeting (Open Session)

November 15, 2007

Page 2

At 4:30 PM and upon completion of the executive session, Commissioner Daluz motioned to place a warning into the file of Portsmouth Concerned Citizens advocacy group for a technical violation of the campaign finance laws. The motion was seconded by Commissioner Xavier and carried unanimously

Next order of business: Commissioner Rego motioned that the Board return to executive session pursuant to Rhode Island General Laws § 42-46-5(a)(4), to conduct confidential investigations of possible violations of campaign finance laws pursuant to R.I.G.L. 17-25-5(a)(7)(i). The motion was seconded by Commissioner Xavier and carried unanimously.

At 4:50 PM Commissioner Xavier moved to close the executive session and return to open session and seconded by Commissioner Rego and passed unanimously. Commissioner Xavier moved to fine Mr. Thomas Scully \$500 for acknowledged campaign finance law violations, seconded by Commissioner Rego and passed unanimously.

Next order of business: A motion was made by Commissioner Daluz to order the RI Mission Children's PAC to cease and desist from soliciting contributions or referencing the Rhode Island Board of Elections in advertisements and to de-list the organization from the Electronic Reporting and Tracking System until further notice. The motion was seconded by Commissioner Xavier and passed unanimously.

At 5:00 pm Commissioner Xavier motioned to adjourn. The motion was seconded by Commissioner Rego and passed unanimously.

Andreza Skipworth